

EXHIBIT E

Haddad & Sherwin

From: "Haddad & Sherwin" <haddad.sherwin@sbcglobal.net>
Date: Monday, June 10, 2013 4:42 PM
To: "Nancy Hudgins" <neh@hudginslaw.com>; "Matt Grigg" <mmg@hudginslaw.com>; "Randy Andrada" <randrada@andradalaw.com>; "Valerie Ly" <vly@andradalaw.com>; "Ben Nisenbaum" <bnisenbaum@gmail.com>; "John Burris" <burris@lmi.net>; "Gina Altomare" <gina.altomare@sbcglobal.net>; "Genevieve Guertin" <genevieve.guertin@sbcglobal.net>
Cc: "Haddad & Sherwin" <haddad.sherwin@sbcglobal.net>
Subject: Harrison document examination

Randy and Valerie – Pursuant to our earlier demand for submission of Martin Harrison's medical records to a forensic documents examiner, and the County's agreement, we would like to schedule the examination. Please provide us some proposed dates for Defendants to take Martin Harrison's original medical records to our examiner's office in Walnut Creek. Thanks very much, Julia

Julia Sherwin
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8/27/2013

Haddad & Sherwin

From: "Valerie Ly" <vly@andradalaw.com>
Date: Tuesday, August 06, 2013 12:42 PM
To: "Genevieve Guertin" <genevieve.guertin@sbcglobal.net>; "Randy Andrada" <randrada@andradalaw.com>
Cc: "Haddad & Sherwin" <haddad.sherwin@sbcglobal.net>; "Gina Altomare" <gina.altomare@sbcglobal.net>; "Nancy Hudgins" <neh@hudginslaw.com>; "Matt Grigg" <mmg@hudginslaw.com>; "Ben Nisenbaum" <bnisenbaum@gmail.com>
Subject: RE: MH v. County of Alameda et al.
 Genevieve,

To answer your questions:

- 1) assume the inspection will take place after the mediation. We are available August 27 – 30.
- 2) We are still trying to obtain these records and will produce when we receive them, if any.
- 3) To the best of our knowledge, that is correct.

Thanks,
 Valerie

From: Genevieve Guertin [mailto:genevieve.guertin@sbcglobal.net]
Sent: Tuesday, August 06, 2013 12:12 PM
To: Randy Andrada; Valerie Ly
Cc: Haddad & Sherwin; Gina Altomare; Nancy Hudgins; Matt Grigg; Ben Nisenbaum
Subject: MH v. County of Alameda et al.

Dear Randy and Valerie,

I'm writing to follow up on a few outstanding matters in the Harrison case. The first regards scheduling the time that Martin Harrison's original medical chart can be examined by our forensic document examiner in Walnut Creek as previously agreed to by the County. Please let us know some dates that work for this inspection, ideally in August, and we will work to get something scheduled.

Second, we have requested Mr. Harrison's medical chart/records from his prior incarceration on or around April 23, 2010, but these records have not yet been produced. Please produce these as soon as possible and let us know when we can anticipate receiving them.

Finally, could you please confirm that the documents produced by the County in response to Plaintiff's Request for Production, Set Three is the complete set of records for all inmates Megan Hast triaged on August 16, 2010?

Thanks so much,

Genevieve K. Guertin
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Haddad & Sherwin

From: "Haddad & Sherwin" <haddad.sherwin@sbcglobal.net>
Date: Friday, August 23, 2013 4:08 PM
To: "Gina Altomare" <gina.altomare@sbcglobal.net>
Cc: "Genevieve Guertin" <genevieve.guertin@sbcglobal.net>
Subject: Re: Harrison - Forensic Document Examination

Hi Gina -- I'm sorry, Patricia has to get it done by noon so we have to start at 8:00 a.m. Her schedule is very packed lately and it was the time we could do it. You can let him know traffic should be light since they are going against the SF commute, and she anticipates that it should take no more than 4 hours. Thanks very much

Julia Sherwin

Sent from my iPad

On Aug 23, 2013, at 3:39 PM, Gina Altomare <gina.altomare@sbcglobal.net> wrote:

> J,
>
> Matt Grigg's paralegal just called to ask whether we can move next Wednesday's document examination from 8:00 a.m. to 9:30 a.m. to give the Corizon people more time to drive out to Walnut Creek. They are also wondering how long this will take.
>
> G

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Haddad & Sherwin

From: "Gina Altomare" <gina.altomare@sbcglobal.net>
Date: Monday, August 26, 2013 1:18 PM
To: <haddad.sherwin@sbcglobal.net>; "Genevieve Guertin" <genevieve.guertin@sbcglobal.net>
Subject: Harrison - Discovery Issues

Hi all,

I spoke with Matt Grigg's paralegal, Carol Ho, last Friday after 5:00 p.m. concerning two discovery issues.

(1) Matt wants to redepose the plaintiffs before the September 6 discovery cutoff. I'd proposed September 16 and 17, but the Corizon defendants are intent on doing the depositions before the cutoff, despite my assurances that we would produce our clients after the cutoff. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] Redacted - Attorney Work Product [REDACTED]
[REDACTED]
[REDACTED]

(2) Carol indicated on the phone at around 5:15 p.m. last Friday that the Corizon defendants wanted to move the forensic document examination to a different date. I informed her that we did not want to move the document examination, nor could I do anything about it so late on a Friday when everyone else was out of the office. I asked that defendants send us all an email outlining their concerns about the document examination, but I have heard nothing since then. Just wanted to give you a heads up about this.

Thanks,

G=

Haddad & Sherwin

From: "Carol Ho" <cbh@hudgetslaw.com>
Date: Tuesday, August 27, 2013 12:32 PM
To: "Gina Altomare" <gina.altomare@sbcglobal.net>
Cc: "Matt Grigg" <mng@hudgetslaw.com>; <haddad.sherwin@sbcglobal.net>; "Genevieve Guertin" <genevieve.guertin@sbcglobal.net>; "Valerie Ly" <vly@andradalaw.com>; "Randy Andrada" <randrada@andradalaw.com>; "Ben Nisenbaum" <bnisenbaum@gmail.com>; "John Burris" <John.burris@johnburrislaw.com>
Subject: Re: Harrison v. Alameda County - Forensic Document Examination
Hi Gina:

Thank you for providing clarification. Unfortunately, Corizon has just informed me that they cannot produce the chart for examination tomorrow morning. I apologize for the short notice. Would Ms. Fisher be willing to reschedule to September 10th, 11th, or 12th?

Regards,

On Tue, Aug 27, 2013 at 9:23 AM, Gina Altomare <gina.altomare@sbcglobal.net> wrote:
Dear Carol,

I will be getting back to you soon about scheduling the plaintiffs' depositions, but in the meantime I wanted to follow up with you about the forensic document examination scheduled for tomorrow at 8:00 a.m. in Patricia Fisher's office.

During our telephone conversation late last Friday afternoon, you indicated that Corizon may not be able to produce the documents we requested for examination by tomorrow morning. Since then, Julia Sherwin of my office has clarified that the County has already agreed to produce the medical records to be examined, as the County is the entity that owns them pursuant to its contract with Corizon. I apologize for any confusion, and I hope this alleviates your concerns about holding the document examination tomorrow.

I understand that you and Matt also had some concerns about the 8:00 a.m. start time. Unfortunately, Ms. Fisher cannot begin tomorrow's examination any later because she has another appointment scheduled immediately after ours. Also, her schedule in the coming weeks is full, and she cannot reschedule to another date. The document examination will take approximately four hours, so if you and Matt wanted to arrive after 8:00 a.m., that would be fine.

If you have any questions or would like to discuss this further, please do not hesitate to call or email us.

Best Regards,

Gina

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Carol B. Ho

Associate

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8/27/2013

Haddad & Sherwin

From: "Haddad & Sherwin" <haddad.sherwin@sbcglobal.net>
Date: Tuesday, August 27, 2013 3:13 PM
To: "Valerie Ly" <vly@andradalaw.com>; "Gina Altomare" <gina.altomare@sbcglobal.net>
Cc: "Carol Ho" <cbh@hugdinslaw.com>; "Matt Grigg" <mng@hugdinslaw.com>; "Genevieve Guertin" <genevieve.guertin@sbcglobal.net>; "Randy Andrada" <randrada@andradalaw.com>; "Ben Nisenbaum" <bnisenbaum@gmail.com>; "John Burris" <John.burris@johnburrislaw.com>; "Haddad & Sherwin" <haddad.sherwin@sbcglobal.net>
Subject: Re: Harrison v. Alameda County - Forensic Document Examination

Counsel – On July 27, 2012, Maria Magat, MD, testified that she looked at Martin Harrison's original medical chart and it was in the medical records room at Santa Rita Jail. (Magat Dep. 46:1-10). On August 24, 2012, we demanded that the County produce Martin Harrison's original medical record for forensic inspection. On September 24, 2012, the County responded that it would produce the chart at a mutually agreeable time and date. On August 6, 2013, Valerie informed us that you were requesting that the inspection take place after the August 14, 2013, mediation, and you were available August 27-30 for the document inspection. The inspection was scheduled for August 28, and the most recent notice of inspection for tomorrow morning was simply confirming the location, and the agreed time and date. We have paid \$1,500 to secure the inspection. To now claim that the notice for the agreed date was "late" and you are refusing to produce the records on the agreed date is unconscionable.

Pursuant to the contract between Corizon and the County, the records are the property of the County, which has previously agreed to produce them for inspection, and offered August 27-30 as the dates of inspection. There is absolutely no reason the County and Corizon cannot produce the 12-page medical chart tomorrow morning as noticed a year ago, and agreed and confirmed in writing a week and a half ago. If you are requesting to schedule it for a later time *tomorrow* for the convenience of Corizon, I will see if Ms. Fisher can make last minute changes to her schedule to accommodate that. If the County and Corizon are now requesting at the last minute to reschedule the inspection entirely, 1) I do not even know if the inspection can take place at a later date before the close of discovery, and 2) the County and Corizon will have to pay the \$1,500 that was required to be paid for tomorrow's inspection. We are going to have to take this up with the judge if you are refusing to produce the records as scheduled. Please confirm that you will produce the records tomorrow as agreed. I will call the court in the meantime, and inquire into the judge's availability to resolve any remaining dispute. Thanks very much, Julia

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From: Valerie Ly
Sent: Tuesday, August 27, 2013 2:39 PM
To: 'Gina Altomare'
Cc: 'Carol Ho' ; 'Matt Grigg' ; 'Genevieve Guertin' ; 'Randy Andrada' ; 'Ben Nisenbaum' ; 'John Burris' ; 'Haddad & Sherwin'
Subject: RE: Harrison v. Alameda County - Forensic Document Examination

We learned today that Corizon is unable to produce the chart tomorrow morning. Given this fact, we will not be producing the chart tomorrow morning. In any event, the Request for Inspection was untimely. It served on August 16, 2013 for an inspection date of August 28, 2013. Thus, there was not the required 30 days notice for the inspection. We realize that the plaintiffs had served a notice to inspect the medical chart to the County sometime in 2012 and the County responded that it would

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provide them at a "mutually agreeable time and date." However, as stated above, notice of the inspection date was not provided until last Friday.

I think we can resolve this matter without considerable fanfare by agreeing on a date in the near future. The expert is local and the chart should be thin. Also, the parties have agreed to extend the fact discovery cutoff so we have time. Can we agree to another time that works for Corizon and the expert? Please advise.

Thanks,
Valerie

From: Gina Altomare [mailto:gina.altomare@sbcglobal.net]

Sent: Tuesday, August 27, 2013 2:30 PM

To: Valerie Ly

Cc: Carol Ho; Matt Grigg; Genevieve Guertin; Randy Andrada; Ben Nisenbaum; John Burris; Haddad & Sherwin

Subject: Re: Harrison v. Alameda County - Forensic Document Examination

Hi Valerie,

Would you please confirm that the County is, in fact, producing the documents for forensic inspection at Ms. Fisher's office tomorrow morning?

Thanks very much,

Gina

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On Aug 27, 2013, at 12:41 PM, Haddad & Sherwin wrote:

Corizon is not producing it, the county is. And absent a protective order, we intend to go forward with the inspection.

Michael Haddad

Sent from my iPhone

On Aug 27, 2013, at 12:32 PM, Carol Ho <cbh@hudginslaw.com> wrote:

Hi Gina:

8/27/2013

Thank you for providing clarification. Unfortunately, Corizon has just informed me that they cannot produce the chart for examination tomorrow morning. I apologize for the short notice. Would Ms. Fisher be willing to reschedule to September 10th, 11th, or 12th?

Regards,

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Dear Carol,

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If you have any questions or would like to discuss this further, please do not hesitate to call or email us.

Best Regards,

Gina

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